

REMARKS

Applicants respectfully request an interview in accordance with 37 C.F.R. § 1.133 prior to issuance of the next office communication. The Examiner is invited to contact the undersigned to arrange for the same.

Claims 6 and 8-11 are pending in the application. In the present response Claims 6, and 8-11 have been amended and new Claim 12 has been added. New Claim 12 is drawn to subject matter being prosecuted. Upon entry of the instant response Claims 6 and 8-12 will remain pending.

Claim 6 has been amended to remove the 95% identity requirement, mention of the Clustal V alignment, and definition of the variable amino acids.

Claim 8 has been amended to remove hyphens after 19, 22, and 184.

Claim 9 has been amended to remove hyphens after 19 and 184, and to specify that position 198 may be any amino acid, and position 222 is Ser as stated in SEQ ID NO:4 of the Sequence Listing.

Claim 10 has been amended to remove hyphens after 19 and 184, to remove "n" from "position is 13n", and to specify that position 27 is Glu as stated in SEQ ID NO:6 of the Sequence Listing.

Claim 11 has been amended to remove the hyphen after 184, to specify that positions 139 and 150 through 166 may be any amino acid, and to correctly identify all the amino acids as stated in SEQ ID NO:8 of the Sequence Listing.

New Claim 12 has been added to more clearly express that which Applicants consider their invention. Support for this new claim is found throughout the specification, for example, on page 1, lines 33 and 34.

Information Disclosure Statement

The information disclosure statement submitted 05/29/2001 includes all the references mentioned in the International Search Report that, by a clerical error, had been attached at the end of the submitted specification.

Specification

The description of Figure 1A-B has been amended to include a reference to SEQ ID NO:8 which reference was omitted in the originally-filed application. The last two pages after page 11 of the Sequence Listing in the specification have been removed since they are a copy of the International Search Report that, by a clerical error, had been attached at the end of the submitted specification.

Figures and Sequence Listing

Replacement Figures are attached to this paper and include, both, replacement sheets and annotated sheets showing changes made. The Figures were amended to replace amino acids in SEQ ID NO:12. The amino acid at positions 150, 151, 154, 155, 157, 159, 160, 161, 162, 164, 165, and 166 have been changed for X as is the amino acid at position 190. Support for these changes are found in the specification as filed, for example in page 18, lines 13-16 where the consensus sequence of SEQ ID NO:12 is described. A corrected Sequence Listing accompanies this response. SEQ ID NO:12 has been amended to include definition of the Xaas that were identified in the alignment shown in Figure 1A-B and the listing for SEQ ID NOs:4, 6, and 8. The listing for SEQ ID NO:12 has been changed to include that positions 139, 150-166, and 198 may also be any amino acid, and position 190 may be Leu or Ile.

Claim Objections

Claims 8-11 have been amended to remove the hyphens that were mistakenly added. Claim 8 has been amended to remove the hyphen after 19, 22, and 184. Claims 9 and 10 have been amended to remove the hyphen after 19 and 184, and Claim 11 has been amended to remove the hyphen after 184 and to ensure that all the amino acids correspond to those mentioned in the Sequence Listing.

Claim Rejections

35 USC § 112, Second Paragraph

Claim 6 has been amended to remove the definition of the variable positions, which are unnecessary because they are included in the sequence listing, and to change the wording referring to the encoded polypeptide making the 35 USC § 112, Second Paragraph rejections moot.

35 USC § 112, First Paragraph

Mention of the Clustal V alignment was removed from Claim 6. Amino acids at position 198 and 222 in Claim 9 and positions 139 and 150 through 166 in Claim 11 have been replaced with "any amino acid" to conform with the filed specification.

Claim 6 has been amended to remove the 95% sequence identity limitation.

Changes to Claims 6, 9, and 11 obviate all 35 USC § 112, First Paragraph rejections.

A petition for a three (3) month extension of time also accompanies this response. Please charge any fees or credit any overpayment of fees which are required in connection with the filing of this Response and Petition of Extension of Time to Deposit Account No.: 04-1928 (E.I. du Pont de Nemours and Company).

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, reading "Maria A. Restrepo-Hartwig".

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